

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Meeting Scheduled for December 4, 2018

SUBJECT: The Plat of the Maeder Addition Minor Subdivision located in Section 5,
Township 20 N, Range 3 E, P.M.M. Cascade County, Montana.

PRESENTED BY: Sandor Hopkins, Planner

GENERAL INFORMATION

Applicants/Owners of Record: Michael Maeder

Property Location: This proposed subdivision is located in the NE ¼ of Section 5, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana. See attached vicinity map & survey document.

Existing Zoning: Suburban Residential 2 (SR2)

Requested Action: Subdivision Review

Purpose: To create three (3) lots

Existing Land Use: Undeveloped

Surrounding Land Uses: North: Undeveloped land, one residence
South: Vaughn Road, residence owned by applicant
East: Residential and Outbuildings
West: Montana Department of Transportation (MDT) facility

SPECIAL INFORMATION

1. The Planning Board is in receipt of an application from Michael Maeder to approve a first-time minor preliminary plat. The proposed subdivision is located in the NE ¼ of Section 5, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana. This property is located off Vaughn Road.
2. Attached is a copy of the preliminary plat, which will subdivide the 57.65 acre parcel into one (1) tract of 10 acres, one (1) tract of 20.75 acres, and one (1) tract of 26.91 acres.
3. Access to the proposed subdivision will be via a turn-off from Vaughn Road in an MDT right-of-way and an internal cul-de-sac to be known as "Independence Way." The frontage road is a paved road maintained by MDT, all necessary permits have been obtained.

4. For the purposes of the county subdivision, based on trip generation factors available from the Institute of Transportation Engineers and proposed zoning, the new lots will generate approximately 77 new trips per day. Vaughn Road carries an average of 6,311 daily vehicles and would not experience a significant degradation to level of service.
5. Lot 1 is intended to house an office and a shop while lot 2 and 3 are not intended for development at this time.
6. The applicant has obtained a letter from the State Historic Preservation Office locating nearby cultural resource sites and declining a recommendation of a cultural resource inventory on the proposed site of the subdivision.
7. According to the US Department of Agriculture Custom Soil Resource Report the land is not considered prime farmland of statewide importance.
8. The parkland requirement is waived pursuant to M.C.A. 76-3-621(3)(a) “(3)A park dedication may not be required for: (a) land proposed for subdivision into parcels larger than 5 acres”(2017).
9. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff’s Department and fire protection services from the Vaughn Volunteer Fire Department.
10. A public hearing on a minor plat is not required for first time minor subdivisions pursuant to M.C.A. 76-3-609 (2) (e) (2017).
11. An environmental assessment is not required pursuant to M.C.A. 76-3-609 (2)(d)(i) (2017).
12. There are no delinquent taxes on this property.
13. The applicant is proposing to rezone lots 1 and 2 to Light Industrial (I-1) as part of this subdivision application.

CONCLUSION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana’s Subdivision and Surveying Laws and Regulations, and is in general compliance with the Cascade County Growth Policy.

RECOMMENDATIONS

The following recommendations are provided for the Board’s consideration:

1. Recommend to the County Commission that the Plat of Maeder Addition Minor Subdivision be denied; or
2. recommend to the County Commission that the Plat of Maeder Addition Minor Subdivision be approved, subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (MCA 76-3-612) (2017);
4. Pursuant to M.C.A. 7-22-2152 (2017), submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development;
5. Causing to be recorded on the plat a statement concerning limited public services;
6. Causing to be recorded an Agricultural Notification Statement.
7. Obtain approval for the proposed water and sewage disposal systems from state and/or local health departments;
8. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of any road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID;
9. The inclusion on the major plat a statement provided by Cascade County certifying the status of the internal subdivision roads.

Attachments: -Findings of Fact
-Reduced Subdivision Application

cc: Dan Richardson, KLJ Engineering